Section III:

PROPOSED AMENDMENT UNDER 37 CFR §1.121 to the DRAWINGS

No amendments or changes to the Drawings are proposed.

Section IV:

AMENDMENT UNDER 37 CFR §1.121

REMARKS

Notice of Allowance Withdrawn

Regarding the withdrawal of the previous Notice of Allowance, the previous amendment was intended to follow the guidance provided in the reasons for allowance.   However, we understand that our amendment has given cause for reconsideration, so we respectfully respond and request reinstatement of the Notice of Allowance.

Rejections under 35 U.S.C. §112, First Paragraph

Regarding the rejections of claims 1 - 5 and 6 - 10 under 35 U.S.C. §112, first paragraph, we respectfully point out that we used the term "transfer buffer" in our specification as a genus term for a range of types of buffers through which one program and exchange information with other programs, and we used the term "clipboard" as an type of transfer buffer, whereas the exact term and implementation tends to be specific to each operating system in the art. Another type of transfer buffer under various other computing environments are called "paste buffers".   Each of these performs equivalent functionality – receiving data from a first computer program and dispensing the data to a second computer program, usually under user control as opposed to under automatic or machine control.

More specifically, please note that a "clipboard" is shown in Figs. 1 (typical computer system) and 7 (computer system enhanced according to the invention).   The operation of a "windows style" clipboard is first described in ¶0011 (as numbered in the pre-grant publication of the application), then a description of copying data into a "buffer" (100) such as a "clipboard" is provided in ¶¶0014 - 0015, and synonymous meaning is established with "paste buffers" in ¶0034 and "memory" holding in "buffer/clipboard" in ¶0087. Copying into a clipboard is described in detail in ¶0111 and ¶0117.   The specific term "transfer buffer" is used more generically in the Abstract, ¶0033 (just preceding the example of "import from clipboard" in ¶0034), ¶0102, ¶0104, ¶0105, and ¶0141. *Concatenation* into the "transfer buffer" is disclosed ¶0056 and ¶¶0104-0105.

However, besides the genus-species relationship of the terms "transfer buffer" and "clipboard" provided throughout our disclosure, we especially ask the examiner to consider the

steps described in ¶¶0108-0129 (as numbered in the pre-grant published patent application) in which copying into a clipboard without our optional concatenation is described, providing a direct association with the described optional concatenation and the term "clipboard".

Given the fairly implicit ordinary skill level employed in the rationale for rejections under 35 U.S.C. §103(a) as evidenced by the cited art, we respectfully ask the Examiner to reconsider whether or not one of such skill level would reasonably understand our disclosure to convey that a transfer buffer is a range of types of operating system mechanisms with certain functionality, and that such mechanisms are referred to as "clipboards", "paste buffers", etc., as is well known in the art.   We respectfully submit that since a clipboard is a type of transfer buffer, and because we have illustrated and described concatenation in a transfer buffer, we have therefore described in sufficient detail concatenation in a clipboard as required by 35 U.S.C. §112, first paragraph.

If we are relying upon too high of an ordinary skill level for our rationale, we respectfully request the Examiner to indicate in more specific terms what skill level is being held to be the ordinary skill level, in terms such as years of experience,

If the Examiner is aware of a definition in which a clipboard is not a type of transfer buffer we respectfully ask for a more specific explanation so that we may understand and respond appropriately.   Should the source be of the Examiner's own knowledge, we respectfully request an affidavit to that effect.

Rejections under 35 U.S.C. §112, Second Paragraph

We respect to the rejections for lack of antecedent basis for the recitation of "said buffer", we respectfully repeat the foregoing arguments regarding "clipboard" and "transfer buffer". The intent of the amendment was to utilize the term "clipboard" consistently throughout the dependent claims (e.g. wherein said transfer buffer is a clipboard), so we are amending appropriately in this reply. Please note that this is how system claim 11 read in the last revision of the claims, so this change to claims 1 and 6 adds no new matter.

We respectfully request reconsideration of these rejections.

Rejections under 35 U.S.C. §102

Regarding the rejections of claim 16 - 18 as being anticipated by previously-cited Apperley, we understood that the Examiner believed Apperley did not teach concatenation of multiple copied items into a clipboard, as set forth in the reasons for allowability:

> "Apperley does not specifically disclose that multiple copied
> resources are concatenated into a single transfer buffer". (Page 11,
> lines 5 - 7 of the Notice of Allowance dated 02/09/2009)

Perhaps we did not correctly claim this aspect as stated by the Examiner, so we are amending independent claims 16 - 18 to include concatenating of "multiple" copied items into a single (e.g. "a") transfer buffer.

In the Office Action, Apperley's Fig.3, section 3.1 ¶1, section 3.3 ¶7 lines 7-9 are cited as providing anticipation of the concatenation of multiple copied information elements. These portions of Apperley's paper disclose their "Stretchable Selection Tool" (SST). We respectfully point out that section 3.1, paragraph 1, does not actually concatenate multiple selections because each selected item is automatically transferred to one field in the destination in a tab-order. For example, the first elected item is automatically copied to the first field, the SST rearms, then the second selected item is automatically copied to the *second* field (*not appended* to the first item in the first field). Then the SST rearms, and the third selected item is copied to the third field. Please note the precise description in the first paragraph regarding first and second fields, and please note the further explanations of "tab order" control (other than the default tab order of the destination page) in section 3.1, eighth paragraph.

Apperley's section 3.3, seventh paragraph, appears to describe "implementation" details of the SST, but again, we respectfully disagree that any appending or concatenation of multiple selected items is being performed. We respectfully submit that in this and the other paragraphs of section 3.3, each individual selected item is being treated as a copy and paste "event", each item being pasted into an individual destination field, advancing to the next field with each

successive paste operation.   Thus, Apperley's approach monitors an "event stream", handling each individual selected item in a separate event.

We are unable to find any use of the term "append" or "concatentate" anywhere in Apperley's disclosure, so we are strongly inclined to continue to agree with the Examiner's previous conclusion that "Apperley does not specifically disclose that multiple copied resources are concatenated into a single transfer buffer".

We respectfully maintain all previous arguments submitted in replies to the Examiner and in our previous Appeal Brief. We believe that, with the clarifying amendments made herein, the claims are patentable over Apperley.   We respectfully request reconsideration of these rejections by the Examiner.

Rejections under 35 U.S.C. §103(a)

Regarding the rejections of claims 1 - 5, 6 - 10, 11 and 13 - 15, over Apperley in view of combinations of Stern, Tomm and Tsuji, all of which were previously cited, we respectfully point out that all of these rejections rely on whether or not Apperley fairly discloses concatenation of multiple information elements in a single transfer buffer.   As stated above, we respectfully submit that Apperley teaches copying of elements one at a time on an event by event basis.

As with our response to the rejections under 35 U.S.C. §102, we respectfully maintain all previous arguments submitted in replies to the Examiner and in our previous Appeal Brief regarding rejections over these combinations of references. We believe that, with the clarifying amendments made herein, the claims are patentable over Apperley in view of Stern, Tomm, and/or Tsuji.   We respectfully request reconsideration of these rejections by the Examiner.

<u>Request for Indication of Allowable Subject Matter</u>

      We believe the present amendment places the claims in condition for allowance. If, for any reason, it is believed that the claims are not in a condition for allowance, we respectfully request constructive recommendations per MPEP 707.07(j)II which would place the claims in condition for allowance without need for further proceedings.   We will respond promptly to any Examiner-initiated interviews or to consider any proposed examiner amendments.

                 Respectfully,

                 / Robert Frantz /

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